

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 EMMANUEL CHEATHAM,
5 Plaintiff,

6 v.

7 GILLESPIE, *et al.*,
8 Defendants.

Case No. 2:14-cv-01166-APG-PAL

**ORDER DENYING MOTION TO
DISMISS**

(ECF No. 18)

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11 Plaintiff Emmanuel Cheatham moves to dismiss criminal charges against him. ECF No.
12 18. This is a civil action, not a criminal case. I lack jurisdiction to dismiss charges pending
13 against Cheatham in state court criminal proceedings. Moreover, the motion to dismiss criminal
14 charges is unrelated to the claims in this civil action, which involve allegations that prison
15 officials sexually assaulted the plaintiff. *See* ECF No. 8.

16 IT IS THEREFORE ORDERED that plaintiff Emmanuel Cheatham's motion to dismiss
17 **(ECF No. 18) is DENIED.**

18 DATED this 3rd day of June, 2016.

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21 ANDREW P. GORDON
22 UNITED STATES DISTRICT JUDGE
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